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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ward et al.

Confirmation No.: 8302

Serial No. 09/661,271

Art Unit: 3625

Filing Date: September 13, 2000

Examiner: Jeffrey Smith

Title: SYSTEM AND METHOD FOR
ORIGINATING LOANS

Attorney Docket No: 061363-0003-US

RESPONSE TO FINAL OFFICE ACTION OF DECEMBER 27, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the final Office Action of December 27, 2005, claims 1-5, 7-9, 11-81 and 83-109 were rejected under 35 U.S.C. 102(e) as anticipated by Schmid (U.S. Publication No. 2002/0029188 A1). Claims 6, 10 and 82 were rejected under 35 U.S.C. 103(a) as unpatentable over Schmid and claims 110 and 111 were rejected as unpatentable over Schmid in view of Office Notice. The Schmid reference has a provisional application filing date of December 20, 1999 and Declarations under 37 C.F.R. 1.131 and 1.132 had been filed to overcome it.

In rejecting the claims, the Examiner deemed certain declarations under 37 C.F.R. 1.131 and 1.132 as ineffective to overcome the Schmid reference. In particular, while the Examiner acknowledged that the Declarations of the inventors alleged that the invention was conceived in the United States, in his opinion the Declarations did not contain an allegation the acts relied